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*Attorneys for Plaintiffs*

GRUPO OMOR, S.A. DE C.V.,  
COMERCIALIZADORA NAREMO, S.A.  
de C.V. and PADILLA IMPORT SALES AND  
MARKETING, INC.,

Plaintiffs,

v.

R.R. IMPORTACIONES, INC., GUTIERREZ  
DISTRIBUTORS, LLC, A&E CITRICS  
ASSOCIATES INC., CENTRAL de ABASTO  
MEXICANA, CORP. a/k/a CAM CORP., LA  
FRONTERA IMPORTS CORP., MARTINEZ  
IMPORTS LLC, LOS MART IMPORT  
CORP., REYES PRODUCE CORP.,  
IMPORTACIONES MARTINEZ LLC,  
ROLANDO MARTINEZ, JAIME  
MARTINEZ, JULIO REYES, PEDRO  
GUTIERREZ, ERIKA MARTINEZ, NOE  
RAMIREZ, and JOHN DOES 1-10,

Defendants.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CIVIL ACTION NO. 2:18-CV-400-KM-CLW

### **ORDER AND FINAL JUDGMENT**

**THIS MATTER**, having been opened to the Court by Cole Schotz P.C. ("Cole Schotz"), attorneys for Plaintiffs, Grupo Omor, S.A. de C.V. ("Grupo Omor"), Comercializadora Naremo, S.A. de C.V. ("Naremo"), and Padilla Import Sales and Marketing, Inc. ("Padilla") (together, "Plaintiffs"), upon motion for an for an Order enforcing the settlement between Plaintiffs and Defendants R.R. Importaciones, Inc. and Rolando Martinez (together, the "R.R. Defendants"), as placed on the record at the Case Management Conference before Honorable Cathy Waldor, U.S.M.J. on February 24, 2020 (the "Settlement Agreement"); and the Court having considered the submissions of the parties and argument of counsel; and for good cause shown;

**IT IS** on this 15th day of October 2020,

**ORDERED**, that judgment is hereby entered in favor of Plaintiffs against the R.R. Defendants; and it is further

**ORDERED**, that Plaintiffs' motion to enforce the Settlement Agreement is hereby **GRANTED**; and it is further

**ORDERED**, that within 30 (thirty) days of this Order, the R.R. Defendants are ordered and directed to pay to Plaintiffs \$10,000, constituting the agreed-upon settlement amount in the Settlement Agreement; and it is further

~~**ORDERED**, that within \_\_\_ days of this Order, the R.R. Defendants are ordered and directed to pay to Plaintiffs \$150,000, constituting the liquidated damages to be paid to Plaintiffs in the event of a default under the Settlement Agreement; and it is further~~

**ORDERED**, that the R.R. Defendants and their respective parent companies, affiliates, subsidiaries, officers, employees, agents, representatives, members, directors, attorneys, and/or other persons acting on their behalf, are permanently enjoined and restrained from importing, marketing, selling or distributing any Unauthorized LA MORENA Products,<sup>1</sup> or any other unauthorized products bearing the Trademarks in the United States or any foreign country; and it is further

**ORDERED**, that the R.R. Defendants, and any and all of their respective parent companies, affiliates, subsidiaries, officers, employees, agents, representatives, members, directors, attorneys, and/or other persons acting on their behalf, are permanently enjoined and restrained from engaging in, offering, or providing goods or services in connection with any

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<sup>1</sup> Capitalized terms herein shall have the meaning ascribed to them in Plaintiffs' Second Amended Complaint [Doc. 55].

word mark that is identical to or confusingly similar with Plaintiffs' Trademarks and any trade dress that is identical to or confusingly similar with Plaintiffs' Trade Dress; and it is further

**ORDERED**, that the R.R. Defendants, and any and all of their respective parent companies, affiliates, subsidiaries, officers, employees, agents, representatives, members, directors, attorneys, and/or other persons acting on their behalf, are permanently enjoined and restrained from engaging in any acts of unfair competition and/or deceptive trade practices utilizing any mark that is identical to or confusingly similar with Plaintiffs' Trademarks and any trade dress that is identical to or confusingly similar with Plaintiffs' Trade Dress; and it is further

**ORDERED**, that this matter is hereby dismissed with prejudice and the Court shall retain jurisdiction over this matter for enforcement of the terms of this Order.

/s/ Cathy L. Waldor  
Hon. Cathy L. Waldor, U.S.M.J.